

District Judge Daybook Entry

United States District Court - Southern District of West Virginia at Beckley

Date: 5/22/2025 Case Number: 5:23-cr-00125
 Case Style: USA vs. Gary Sawyers
 Type of hearing: Criminal Jury Trial
 Before the Honorable: 2517-Volk
 Court Reporter: Catherine Schutte-Stant Courtroom Deputy: Tabitha Jarrell
 Attorney(s) for the Plaintiff or Government:
 Joshua Hanks,Brian Parsons
 Attorney(s) for the Defendant(s):
 David Bungard,Emily Szopinski
 Law Clerk: Amanda Duvall
 Probation Officer:

Court Times

Start Time	End Time	Court Time Description
9:09 AM	9:32 AM	Court actively conducting trial proceedings/Contested proceedings
9:40 AM	10:15 AM	Court actively conducting trial proceedings/Contested proceedings
10:35 AM	12:00 PM	Court actively conducting trial proceedings/Contested proceedings
1:15 PM	1:30 PM	Court actively conducting trial proceedings/Contested proceedings
1:30 PM	1:55 PM	Hearings on motions during trial
1:55 PM	3:15 PM	Court actively conducting trial proceedings/Contested proceedings
3:35 PM	5:05 PM	Court actively conducting trial proceedings/Contested proceedings

Time in court: 5 hours and 28 minutes. Court actively conducting trial proceedings/Contested proceedings
 Time in court: 0 hours and 25 minutes. Hearings on motions during trial

Courtroom Notes

CRIMINAL TRIAL - DAY FOUR

Scheduled Start 0900
 Actual Start Time 0905

AUSA Hanks and Parsons present
 Defendant present in person and by counsel Bungard and Szopinski.

Jury present (13 jurors present)

Recalled Government Witness Juan Sanin Prieto to the stand from yesterday.
 Cross Examination
 Def Exhibit 37, 29, 10, 11,12,13,14
 Marked and admitted

Jury dismissed 0932

Court questions counsel

Court is in recess 0933
 Court is again in session 0940

Cross examination continues

Def Exhibits 11,12,13,14
Marked and admitted

Court is in recess 1015
Court is again in session 1035

Cross examination continues
Def Exhibits 46
Marked and admitted
Re-direct examination

Government calls Witness 13: Johnathan Rode
Witness sworn by Courtroom Deputy
Govt Exhibit 2
Marked and Admitted

Court is in recess for lunch 1200
Court is again in session 1315

Cross examination

Government concludes its case
AUSA Hanks asks Court to take Judicial notice of two matters
Court responds

Jury is excused 1330

Defense motion for dismissal under Rule 29
Argument
Court defers ruling
Govt Exhibit 32, 32a, 33, 33a
Marked and admitted

Jury returns 1355

Government rest its case in chief
Court addresses jurors

Defense calls Witness 1: Christina Sawyers
VIDEO DEPOSITION TESTIMONY
Direct Examination
Def Exhibit 45, 1, 2, 3, 4, 5
Marked and admitted
Cross Examination
Re-direct examination

Jury excused 1425
Court advice to defendant about testifying
Defendant acknowledges and wishes to testify
Jury returned 1427

Defense calls Witness 2: Gary Sawyers
Witness sworn by Courtroom Deputy
Direct Examination

Court is in recess 1515
Court is again in session 1535

Court advises counsel that Juror #6 realized during testimony that he went to high school with the defendant but does not know him
Counsel responds

Jury enters 1538

Continue direct examination
Def Exhibit 24, 25, 26, 15, 16, 23
Marked and admitted
Cross examination

Court discusses stopping point for the day
Court reinforced jury instructions for the holiday weekend
Court will reconvene Tuesday at 0900

Court recessed for the day at 1705